

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
PACIFIC GAS AND ELECTRIC
COMPANY,
Defendant.

Case No. 14-cr-00175-TEH

**ORDER DENYING
ADMINISTRATIVE MOTION FOR
LEAVE TO FILE SUPPLEMENTAL
BRIEF AND ORDER MODIFYING
BRIEFING SCHEDULE ON
MOTION FOR SANCTIONS**

The Court DENIES Defendant Pacific Gas and Electric Company (“PG&E”)’s administrative motion, Dkt. No. 606, for leave to file a supplemental brief in support of its opposition to the motion to quash subpoenas issued to David Berger and Margaret Felts. As the Court suggested at the June 6, 2016 motion hearing, and as counsel for PG&E found amenable, the arguments raised in the proposed supplemental brief should be made in connection with PG&E’s pending motion for sanctions, Dkt. No. 577.


To ensure full consideration of the issues, the Government shall file a short supplemental opposition to the sanctions motion on before **June 8, 2016, at 3:00 PM**, that addresses the arguments raised in PG&E’s proposed supplemental brief, including the import of the Government’s decision to seek a court order for disclosure under Federal Rule of Criminal Procedure 6(e)(3)(E)(i) to David Berger but not to Margaret Felts. The Government shall also address the import of its admittedly late notification under Rule 6(e)(3)(B) that grand jury material had been disclosed to Margaret Felts. *See* Dkt. No. 609 at 7 (“It appears the government did not promptly provide Felts’ name to the Court pursuant to Federal Rule of Criminal Procedure 6(e)(3)(B) after advising her of her obligation of secrecy.”).

To allow time for PG&E to respond to the Government’s supplemental opposition, the Court extends the deadline for PG&E’s reply brief from June 8, 2016, to **June 9, 2016, at 3:00 PM**.

1 The Court has not yet determined whether oral argument on the sanctions motion
2 will be necessary. However, if a hearing is necessary, it will be held in conjunction with
3 the previously scheduled hearings on **June 13, 2016, at 10:00 AM**, and counsel shall come
4 prepared to argue the motion at that time.

5
6 **IT IS SO ORDERED.**

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8 Dated: 06/07/16


THELTON E. HENDERSON
United States District Judge